

House Engrossed Senate Bill

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

CHAPTER 150

# **SENATE BILL 1081**

AN ACT

AMENDING SECTION 32-3271, ARIZONA REVISED STATUTES; RELATING TO BEHAVIORAL  
HEALTH PROFESSIONALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-3271, Arizona Revised Statutes, is amended to  
3 read:

4 32-3271. Exceptions to licensure; jurisdiction

5 A. This chapter does not apply to:

6 1. A person who is currently licensed, certified or regulated pursuant  
7 to another chapter of this title and who provides services within the  
8 person's scope of practice if the person does not claim to be licensed  
9 pursuant to this chapter.

10 2. A person who is not a resident of this state if the person:

11 (a) Performs behavioral health services in this state for not more  
12 than ninety days in any one calendar year as prescribed by board rule.

13 (b) Is authorized to perform these services pursuant to the laws of  
14 the state or country in which the person resides or pursuant to the laws of a  
15 federally recognized tribe.

16 (c) Informs the client of the limited nature of these services and  
17 that the person is not licensed in this state.

18 3. A rabbi, priest, minister or MEMBER OF THE clergy of any religious  
19 denomination or sect if the activities and services ~~he~~ THAT PERSON performs  
20 are within the scope of the performance of the regular or specialized  
21 ministerial duties of an established and legally recognizable church,  
22 denomination or sect and the person performing the services remains  
23 accountable to the established authority of the church, denomination or sect.

24 4. A member run self-help or self-growth group if no member of the  
25 group receives direct or indirect financial compensation.

26 5. A behavioral health technician or behavioral health  
27 paraprofessional who is employed by an agency licensed by the department of  
28 health services.

29 6. A person contracting with the supreme court or a person employed by  
30 or contracting with an agency under contract with the supreme court who is  
31 otherwise ineligible to be licensed or who is in the process of applying to  
32 be licensed under this chapter as long as that person is in compliance with  
33 the supreme court contract conditions regarding professional counseling  
34 services and practices only under supervision.

35 7. A person WHO IS employed by the department of economic security AND  
36 who practices social work, marriage and family therapy, substance abuse  
37 counseling, counseling and case management within the scope of the person's  
38 job duties and under direct supervision by the department of economic  
39 security.

40 8. A student, intern or trainee WHO IS pursuing a course of study in  
41 social work, counseling, marriage and family therapy, substance abuse  
42 counseling or case management in a regionally accredited institution of  
43 higher education or training institution if the person's activities are  
44 performed under qualified supervision and are part of the person's supervised  
45 course of study.

1           9. A person WHO IS practicing social work, counseling and case  
2 management AND WHO IS employed by an agency licensed by the department of  
3 economic security.

4           10. A paraprofessional employed by the department of economic security  
5 or by an agency licensed by the department of economic security.

6           11. A CHRISTIAN SCIENCE PRACTITIONER IF ALL OF THE FOLLOWING ARE TRUE:

7           (a) THE PERSON IS NOT PROVIDING PSYCHOTHERAPY.

8           (b) THE ACTIVITIES AND SERVICES THE PERSON PERFORMS ARE WITHIN THE  
9 SCOPE OF THE PERFORMANCE OF THE REGULAR OR SPECIALIZED DUTIES OF A CHRISTIAN  
10 SCIENCE PRACTITIONER.

11           (c) THE PERSON REMAINS ACCOUNTABLE TO THE ESTABLISHED AUTHORITY OF THE  
12 PRACTITIONER'S CHURCH.

13           12. A PERSON WHO IS NOT PROVIDING PSYCHOTHERAPY.

14           B. A person who provides services pursuant to subsection A, paragraph  
15 2 is deemed to have agreed to the jurisdiction of the board and to be bound  
16 by the laws of this state.

**APPROVED BY THE GOVERNOR APRIL 17, 2006.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2006.**